

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5403 of 2026

Arising Out of PS. Case No.-221 Year-2025 Thana- MOHANPUR District- Gaya

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Jitendra Prasad @ Soni Prasad S/o- Nand Kishor Prasad R/v- Dema Ps-
Mohanpur Koshila Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-01-2026 Heard Mr. Alok Kumar Alok, learned counsel for

the petitioner as well as Mr. Bhanu Pratap Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.07.2025 in connection with Mohanpur P.S. Case No. 221 of
2025, F.I.R. dated 10.06.2025 for the offences punishable under
Sections 191(2), 190, 126(2), 121(2), 132, 109 of the Bharatiya
Nyay Sanhita, 2023.

3. Allegation against the petitioner is that he along
with other co-accused person attacked the informant and other
police forces with sticks, bricks and stone at the time of raiding
illegal mining of sand due to which they received injuries and
one tractor was seized with loaded sand.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that from perusal of the FIR it appears that there is general and omnibus allegation against all the accused persons including the petitioner and he is not the owner of the seized tractor/vehicle and he has no role at all in the present occurrence and also he is not involved in any illegal mining of sand as alleged in the FIR and and similarly situated co-accused person, namely, Mantu Singh @ Mantu Kumar Singh been granted the privilege of anticipatory bail by this Court vide order dated 11.12.2025 in Cr. Misc. No. 79974 of 2025 and Rahul Singh @ Rahul Kumar and Vikash Yadav @ Vikash Kumar have been granted the privilege of regular bail by co-ordinate Bench of this Court vide order dated 16.09.2025 and 08.12.2025 in Cr. Misc. No. 63037 of 2025 and Cr. Misc. No.82102 of 2025 and the petitioner is in custody since 14.07.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of supplementary affidavit filed on behalf of petitioner that he is on bail in the said matter.



6. Considering the aforesaid facts and circumstances of the case that there is no specific allegation against the petitioner in the FIR and petitioner is not owner of the tractor/vehicle in question, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.S.J.-I, Sherghati, Gaya in connection with Mohanpur P.S. Case No. 221 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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